

E-FILED 10/2/2007

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KINH TONG,

No. C07-01026 RMW (HRL)

Plaintiff,

**ORDER DENYING AS MOOT
DEFENDANT'S MOTION FOR
PROTECTIVE ORDER**

v.

CAPITAL MANAGEMENT SERVICES,
GROUP, INC.,

[Re: Docket No. 32]

Defendant.

Defendant agrees that, in view of the District Court's expected ruling on its motion for judgment on the pleadings, its motion for protective order is moot. Accordingly, the motion for protective order is denied as such. As discussed at the October 2, 2007 motion hearing, defendant shall serve its responses to plaintiff's discovery requests by **October 12, 2007**.

IT IS SO ORDERED.

Dated: October 2, 2007



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

5:07-cv-1026 Notice will be electronically mailed to:

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